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06 **UNITED STATES DISTRICT COURT**
07 **WESTERN DISTRICT OF WASHINGTON**
08 **AT SEATTLE**

09 UNITED STATES OF AMERICA,) Case No. CR06-96-JCC
10 Plaintiff,)
11 v.) SUMMARY REPORT OF U.S.
12 DANIEL JOSEPH GARRIS,) MAGISTRATE JUDGE AS TO
13 Defendant.) ALLEGED VIOLATION
) OF SUPERVISED RELEASE
)
)

14 An initial hearing on a petition for violation of supervised release was held before the
15 undersigned Magistrate Judge on September 28, 2007. The United States was represented by
16 Assistant United States Attorney Karyn S. Johnson, and the defendant by Ms. Jennifer E.
17 Wellman. The proceedings were recorded on cassette tape.

18 The defendant had been charged and convicted of Mail Theft in violation of 18 U.S.C.
19 § 1708. On or about June 13, 2006, defendant was sentenced by the Honorable John C.
20 Coughenour to one hundred twenty-two (122) days in custody, to be followed by three (3)
21 years of supervised release.

22 The conditions of supervised release included the requirements that the defendant
23 comply with all local, state, and federal laws, and with the standard conditions. Special
24 conditions imposed included, but were not limited to, participation in substance abuse and
25 mental health programs, financial disclosure, \$2,471.25 restitution, consent to search and
26 seizure, must possess valid identification and 90 days home confinement.

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01 In a Petition for Warrant or Summons dated September 17, 2007, and a Violation
02 Report and Request for Warrant to be Filed Under Seal dated September 17, 2007, U.S.
03 Probation Officer Angela M. McGlynn asserted the following violations by defendant of the
04 conditions of his supervised release:

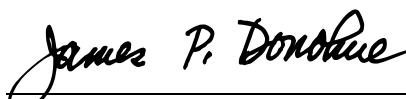
- 05 (1) Consuming marijuana on or before September 12, 2007, in violation of
06 standard condition No. 7.
- 07 (2) Failing to comply with the home confinement program since September 8,
08 2007, in violation of the special condition requiring that he participate in the
09 home confinement program with electronic home monitoring as directed by the
10 probation officer for a period of 120 days.

11 On September 28, 2007, defendant made his initial appearance and was advised of the
12 allegations, and advised of his rights. Defendant admitted to Violation 1. As to Violation 2,
13 defendant admitted to failing to comply with the home confinement program "on" September
14 8, 2007. The government acknowledged that the violation should be amended to delete the
15 word "since" and substitute the word "on." Defendant waived any rights to an evidentiary
16 hearing as to whether they occurred.

17 I therefore recommend that the Court find the defendant to have violated the terms and
18 conditions of his supervised release as to Violations 1 and 2, as amended, and that the Court
19 conduct a hearing limited to disposition. A disposition hearing has not yet been set before the
20 Honorable John C. Coughenour.

21 Pending a final determination by the Court, the defendant has been released, subject to
22 continued supervision.

23 DATED this 1st day of October, 2007.

24 
25 JAMES P. DONOHUE
26 United States Magistrate Judge

01 cc: District Judge: Honorable John C. Coughenour
02 AUSA: Ms. Karen S. Johnson
03 Defendant's attorney: Ms. Jennifer E. Wellman
04 Probation officer: Ms. Angela M. McGlynn
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